

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 2ND DAY OF JULY, 2012 AT 6:50 P.M. IN THE MULTI-PURPOSE ROOM, SECOND FLOOR, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	James D. Politis	-Chair
	William H. Brown	-Vice Chair
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	F. Craig Meadows	-County Administrator
	Martin M. McMahon	-County Attorney

ABSENT: Matthew R. Gabriele
Annette S. Perkins
Christopher A. Tuck

CALL TO ORDER – 6:50 p.m.

The Chair called the meeting to order.

ADD TO THE AGENDA - ADDENDUM

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the following addendum dated July 1, 2012 was added to the agenda:

Closed Meeting

Section 2.2-3711 (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Personnel

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
William H. Brown		Matthew R. Gabriele
Mary W. Biggs		Christopher A. Tuck
James D. Politis		

NEW BUSINESS

R-FY-13-01

RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO FILE A PETITION FOR THE CIRCUIT COURT OF MONTGOMERY COUNTY TO ISSUE A WRIT SETTING A SPECIAL ELECTION TO FILL VACANCY IN THE OFFICE OF THE COMMONWEALTH'S ATTORNEY

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

WHEREAS, The Honorable Bradley W. Finch, Commonwealth's Attorney for the County of Montgomery, Virginia, notified the Board of Supervisors that he is resigning from the office of Commonwealth's Attorney effective June 29, 2012, to become a Juvenile and Domestic Relations Judge; and

WHEREAS, Virginia Code Section 24.2-228.1 provides that a vacancy in any elected constitutional office shall be filled by special election; and

WHEREAS, The governing body of the County in which the vacancy occurs shall, within fifteen (15) days of the occurrence of the vacancy, petition the circuit court to issue a writ of election to fill the vacancy; and

WHEREAS, The Board of Supervisors of the County of Montgomery agrees that the County Attorney shall file in a timely manner the Petition with the Circuit Court requesting the Court to issue a Writ of Election to fill the vacancy in the office of the Commonwealth's Attorney for the County of Montgomery.

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes the County Attorney to file a Petition with the Montgomery County Circuit Court requesting the Court to issue a Writ of Election to fill the vacancy in the office of the Commonwealth's Attorney for the County of Montgomery, Virginia as provided for under Section 24.2-228.1 of the 1950 code of Virginia, as amended.

The vote on the forgoing resolution was as follows:

AYE

Gary D. Creed
William H. Brown
Mary W. Biggs
James D. Politis

NAY

None

ABSENT

Annette S. Perkins
Christopher A. Tuck
Matthew R. Gabriele

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Personnel

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
William H. Brown		Christopher A. Tuck
Mary W. Biggs		Matthew R. Gabriele
James D. Politis		

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
William H. Brown		Christopher A. Tuck
Mary W. Biggs		Matthew R. Gabriele
James D. Politis		

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Gary D. Creed
William H. Brown
Mary W. Biggs
James D. Politis

NAYS

None

ABSENT DURING VOTE

Annette S. Perkins
Christopher A. Tuck
Matthew R. Gabriele

ABSENT DURING MEETING

Annette S. Perkins
Christopher A. Tuck
Matthew R. Gabriele

R-FY-13-02 VIRGINIA RETIREMENT SYSTEM BENEFIT ADJUSTMENT FOR COUNTY ADMINISTRATOR, COUNTY ATTORNEY AND PSA DIRECTOR

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby approves a salary increase by 5.7% to cover the Virginia Retirement System employee contributions for the County Administrator, County Attorney, and the Public Service Director.

The vote on the forgoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
William H. Brown	None	Christopher A. Tuck
Mary W. Biggs		Matthew R. Gabriele
Gary D. Creed		Annette S. Perkins
James D. Politis		

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, July 9, 2012 at 6:00 p.m.

The meeting adjourned at 6:55 p.m.

APPROVED _____	ATTEST: _____
James D. Politis	F. Craig Meadows
Chair	County Administrator